

Law on the Frontlines

Legal Reference for Public Libraries



Navigating the Law: Consumer Law

This session is being recorded

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Introductions



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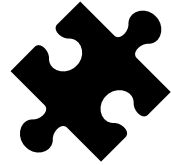
Pre-Assessment: What do you know?

1. What kind of law is consumer law?
 - a. Civil
 - b. Criminal
2. Which of the following could be considered a consumer law issue? **Choose ALL that apply.**
 - a. Debt collection
 - b. Automobile accident
 - c. Divorce
 - d. Bankruptcy
3. What type of law would likely NOT apply to a consumer problem?
 - a. Federal
 - b. State
 - c. Local (county or municipal)
4. True or false – all consumer cases in Maryland are heard in the District Court.
5. Which of the following would be a helpful referral for a consumer debt problem?
 - a. St Ambrose Housing Center
 - b. Maryland Court Help Center
 - c. Public Justice Center
 - d. Women's Law Center

Learning Outcomes



Describe the general topic of law



Identify best descriptive resources



Utilize primary sources of law for the topic



Assess and select among options for referral

Access to Justice

A quick review...



What is Consumer Law?

- Debt collection
- Credit issues
- Scams and frauds
- Consumer protection

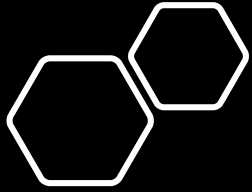
Spans multiple areas of law

Common Areas of Concern

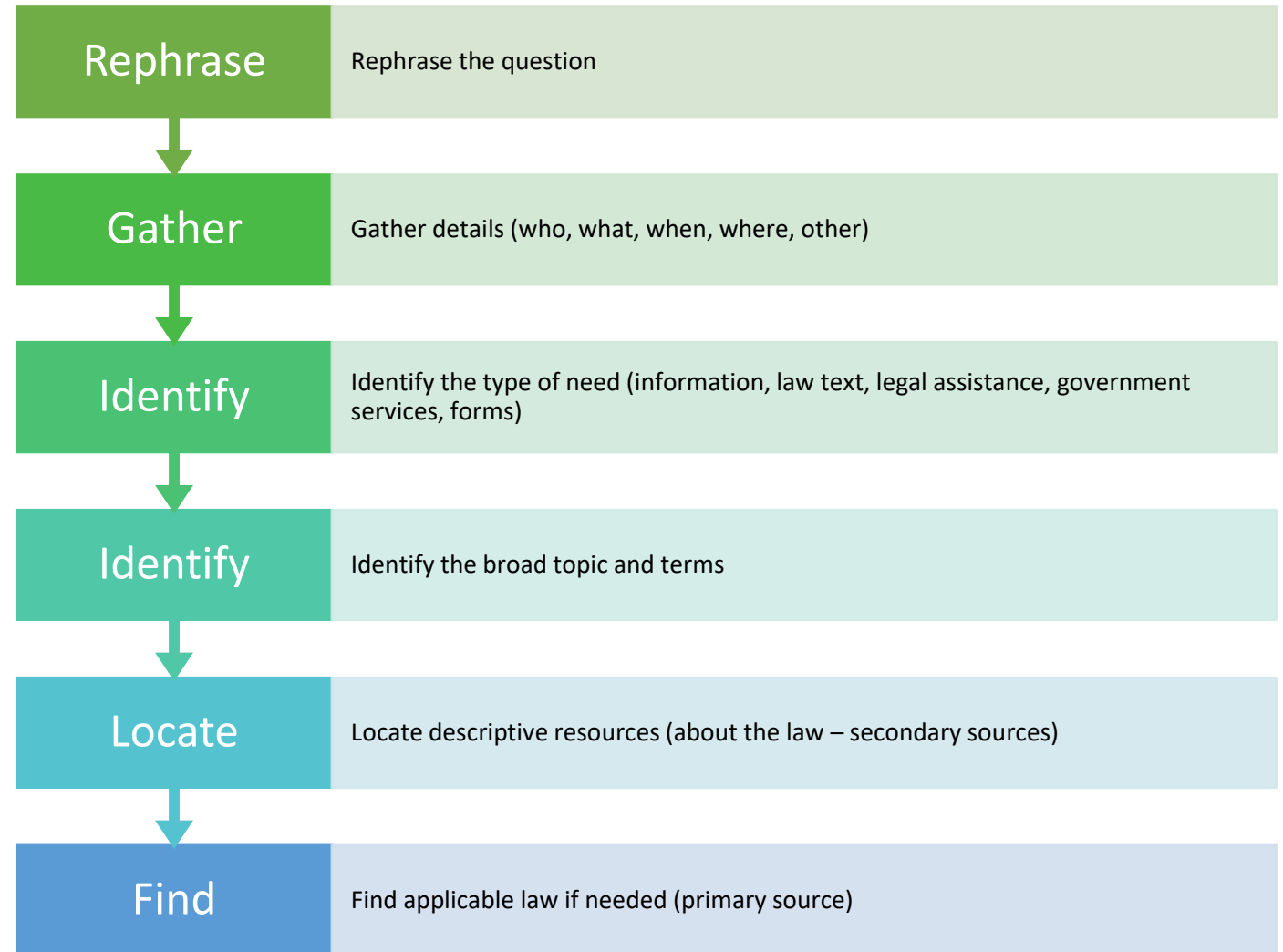
- Managing debt
- Debt collection practices
- Garnishments and liens
- Bankruptcy
- Identity theft
- False advertising
- Warranties
- Licensing
- Foreclosure

Details to Know

- Addressed by state and federal law
- Which court?
 - District Court – small claims
 - Circuit Court – larger claims
 - Bankruptcy – federal court
- Referrals can often include credit counseling services
- General information is more challenging – situations are very specific



Best Practices Review



Descriptive Resources

- Maryland Peoples Law Library
www.peoples-law.org
- Maryland Attorney General, Consumer Protection Division
www.marylandattorneygeneral.gov/Pages/CPD/default.aspx
- Federal Trade Commission
www.ftc.gov or www.consumer.gov
- National Consumer Law Center
www.nclc.org
- MVLS Factsheets
<https://mvslaw.org/mvls-factsheets>
- Nolo (website and texts)
www.nolo.com



Demonstration: Descriptive Resources

Practice: Using Descriptive Resources

01

LAST YEAR SOMEONE STOLE MY IDENTITY AND MESSED UP MY CREDIT, BUT I THOUGHT I FIXED IT. HOW CAN I GET THIS OFF MY RECORD?

02

MY CAR HAS JUST BEEN REPAIRED BUT IT'S STILL NOT BEHAVING RIGHT AND I'M PRETTY SURE THEY OVERCHARGED ME. CAN I GET MY MONEY BACK?

03

WE HIRED SOMEONE TO REPLACE OUR DECK. WE BOUGHT ALL THE MATERIALS, BUT THE DECK IS UNFINISHED AND THE GUY HAS DISAPPEARED. WHAT CAN WE DO?

04

MY WAGES ARE BEING GARNISHED TO PAY A DEBT. THE AMOUNT THEY ARE TAKING EACH WEEK IS TOO MUCH, I WON'T HAVE ENOUGH TO LIVE ON. CAN I GET THE AMOUNT CHANGED?

Law and Court Procedures

Maryland

Statutory Law

- Md Code, Commercial Law Article, Title 13 – Consumer Protection Act
- Md Code, Commercial Law Article, Title 14 – Miscellaneous Consumer Protection Provisions
- Md Code, Business Occupations & Professions
- Md Code, Business Regulation

Regulatory Law

- COMAR 02.01 OAG Consumer Protection Division
- COMAR 14 – Independent Agencies
- COMAR 31 – Maryland Insurance Agencies

Court Procedures

- Md Rules, Title 3 – Civil Procedure – District Court; Rule 3-701. Small Claim Actions

Federal

Statutory Law

- US Code, Title 15. Commerce and Trade
 - Chapter 41. Consumer Credit Protections (secs. 1601-1693r)
 - Chapter 46A. Automobile Title Fraud (sec. 2041)
 - Chapter 47. Consumer Product Safety (secs. 2051-2089)
 - Chapter 50. Consumer Product Warranties (secs. 2301-2312)

Regulatory Law

- CFR Title 16. Commercial Practices
 - Chapter I. Federal Trade Commission
 - Chapter II. Consumer Product Safety Commission



Demonstration: Primary Sources

Practice: Using Primary Sources

01

USING THE MD CODE, LOCATE THE SECTIONS ABOUT DOOR-TO-DOOR SALES. FIND THE SECTION THAT INDICATES WHAT WOULD CONSTITUTE UNFAIR PRACTICES FOR DOOR-TO-DOOR SALES.

02

USING COMAR, FIND THE REGULATIONS FOR THE AG'S CONSUMER PROTECTION DIVISION. FIND THE REGULATION THAT PROVIDES INFORMATION ABOUT WHETHER AND HOW SOMEONE COULD BE REPRESENTED AT A HEARING OF THE DIVISION.

03

CAN YOU IDENTIFY THE FEDERAL LAW THAT SAYS EVERYONE IS ENTITLED TO A FREE COPY OF THEIR CREDIT REPORT EACH YEAR? WHERE DID YOU FIND IT? WHAT WOULD YOU PROVIDE TO A PATRON WHO ASKED FOR THIS?

Forms

- Maryland Court Forms
<https://mdcourts.gov/forms>
- Agency websites for complaint forms
Example: Complaint form for filing against a contractor with the MHIC
www.dllr.state.md.us/license/mhic/mhicfaqcomp.shtml

Connect to Legal Assistance

MVLS

mvlslaw.org

Civil Justice, Inc.

www.civiljusticenetwork.org

Debtor Assistance Project

www.mdb.uscourts.gov/content/debtor-assistance-project

Consumer Credit
Counseling Service

www.cccsmd.org

Md Attorney General,
Consumer Protection
Division

www.marylandattorneygeneral.gov

Court Help Centers

mdcourts.gov/helpcenter

Law Libraries

mdcourts.gov/ccll

PLL Legal Services
Directory

www.peoples-law.org/directory

Practice: Finding Referrals

Not including the specific referrals already discussed – can you identify an organization, state, local, or federal, that may assist with one or more kinds of consumer-related questions?

Self-Study

- People's Law Library
- National Consumer Law Center,
www.nclc.org
- Maryland Attorney General,
Consumer Protection Division,
[Consumer Publications](#)
- Nolo (print and web)

Re-Assessment: What do you know now?

1. What kind of law is consumer law?
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Questions?

